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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,075	01/11/2002	George Likourezos	1002 CIP III	7427

7590
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06/18/2007

EXAMINER

GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
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3692

MAIL DATE	DELIVERY MODE
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06/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/044,075	Applicant(s) LIKOUREZOS ET AL.	
	Examiner Clement B. Graham	Art Unit 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,12,16,17,27,32,40,41,44,47,49,55,61,62 and 70-74 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 12, 16-17, 27, 32, 40-41, 44, 47, 49, 55, 61-62, 70-74, is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/5/2007 has been entered.

1. Claims 1-2, 12, 16-17, 27, 32, 40-41, 44, 47, 49, 55, 61-62, 70-74, remained pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 12, 16-17, 27, 32, 41, 44, 47, 49, 62, 70-74, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bogosian et al (Hereinafter Bogosian U.S. Patent No. 6, 760, 470) in view of Elgamal U.S. Patent No. 6, 138, 107). As per claim 1, Bogosian discloses a method for effecting payment for at least one item offered for auction sale by a seller via an electronic auction web site and won by a winning bidder, where the electronic auction web site is accessible by a plurality of users and maintained by an electronic auction system, the method comprising: receiving informational data from the plurality of users via at least one web page by an operator of the electronic auction web site (see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) and for providing said plurality of users of the electronic auction web site using the informational data received via the at least one web page, for effecting payment for network transactions associated with said electronic auction web site, linking said plurality of payment accounts to at least one computing device of the electronic auction

Art Unit: 3692

system (see column 4 lines 18-55 and column and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5)

displaying a link on the electronic auction web site (see column 4 lines 18-55 and column and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) determining the conclusion of the auction sale by the electronic auction system; interacting with said winning bidder by the electronic auction system by performing the steps of:

sending an e-mail by the electronic auction system to the winning bidder, receiving, via one of the electronic auction web site and the v.-mail, at least one input from the winning bidder indicating an initiation to effect payment to the seller (see column 4 lines 18-55 and column and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) providing a payment page to the winning bidder after receiving the at least one input from the winning bidder, said payment page displaying the amount of funds to be deducted from a payment account of the plurality of payment accounts corresponding to the winning bidder, and receiving, via the payment page, authorization from the winning bidder to proceed with effecting payment to the seller (see column 4 lines 18-55 and column and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) deducting funds from the payment account and corresponding to the winning bidder, and using at least a portion of the deducted funds to effect payment to at least the seller, wherein the method for effecting payment does not provide for any interaction between the winning bidder and the seller. (see column 4 lines 18-55 and column and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

Bogosian fail to explicitly teach creating a plurality of payment accounts configured and corresponding to the plurality of users and wherein funds stored within the plurality of payment accounts can be used by said plurality of users and storing funds therein and providing users the access to their respective payment accounts for viewing the amount of funds stored therein.

However Elgamal discloses the Internet commerce community with an Electronic Money Account (EMA) whereby a customer connected to the Internet 20 can purchase

Art Unit: 3692

electronic money from a Payment Gateway (PG) 50, deposit the electronic money in an EMA in the PG, and use this EMA to purchase goods from a merchant 40 over the Internet, based on an underlying Secure Courier System (SCS). It should be appreciated that the commerce model described herein is just one application of the invention and that the invention is intended for use in any system where electronic funds are transferred or aggregated. For example, an individual account holder may transfer funds into his account from any network source of funds, he may transfer funds out of his account, or he may transfer funds to another individual (e.g. a merchant), as well as convert funds between a virtual and real form.(see column 5 lines 14-19 and column 6 lines 18-35).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian to include creating a plurality of payment accounts configured and corresponding to the plurality of users and wherein funds stored within the plurality of payment accounts can be used by said plurality of users and storing funds therein and providing users the access to their respective payment accounts taught by Elgamal in order to facilitate an online registration with a payment service provider.

Bogosian and Elgamal fail to explicitly teach viewing the amount of funds. However viewing the amount of funds in ones account is old an well known in the art because it would provide the user with a displayed amount. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian and Elgamal to include providing users the access to their respective payment accounts for viewing the amount of funds because it would provide the user with a displayed amount or amounts.

As per claim 2, Bogosian discloses further comprising using at least another portion of the deducted funds to effect payment to the operator of the electronic auction web site. (see column 4 lines 18-55 and column and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

As per claim 12, Bogosian discloses a method for effecting payment for at least one item offered for sale by a seller and purchased by a buyer via an electronic auction

Art Unit: 3692

web site, where the electronic auction web site is accessible by a plurality of users and maintained by an electronic auction system, the method comprising:

receiving informational data from the plurality of users via at least one web page by an operator of the electronic auction web site (see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5)

creating a plurality of payment accounts configured for and corresponding to the plurality of users and users of the electronic auction web site using the informational data received via the at least one web page, wherein funds stored within the plurality of payment accounts can be used by said plurality of users for effecting payment for network transactions associated with said electronic auction web site (see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5)

linking said plurality of payment accounts to at least one computing device of the electronic auction system displaying a link on the electronic auction web site for providing said plurality of users, determining the conclusion of the auction sale by the electronic auction system; interacting with said buyer by the electronic auction system by performing the steps of sending an e-mail by the electronic auction system to the buyer of the at least one item (see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) receiving, via one of the electronic auction web site and the e-mail, at least one input from the buyer indicating as initiation to effect payment to the seller;

providing a payment page to the buyer after receiving the at least one input from the buyer, and receiving, via the payment page, authorization from the buyer to effect payment to the seller of the at least one item (see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) and effecting payment to at least the seller of the at least one item by transferring funds to one of the plurality of payment accounts corresponding to the seller. (see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

Bogosian fail to explicitly teach storing funds therein and buyer access to their respective payment accounts for viewing the amount of funds stored therein.

However Elgamal discloses the Internet commerce community with an Electronic Money Account (EMA) whereby a customer connected to the Internet 20 can purchase electronic money from a Payment Gateway (PG) 50, deposit the electronic money in an EMA in the PG, and use this EMA to purchase goods from a merchant 40 over the Internet, based on an underlying Secure Courier System (SCS). It should be appreciated that the commerce model described herein is just one application of the invention and that the invention is intended for use in any system where electronic funds are

transferred or aggregated. For example, an individual account holder may transfer funds into his account from any network source of funds, he may transfer funds out of his account, or he may transfer funds to another individual (e.g. a merchant), as well as convert funds between a virtual and real form.(see column 5 lines 14-19 and column 6 lines 18-35).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian to include storing funds therein and buyer access to their respective payment accounts taught by Elgamal in order to facilitate an online registration with a payment service provider.

Bogosian and Elgamal fail to explicitly teach viewing the amount of funds stored therein.

However viewing the amount of funds in ones account is old an well known in the art because it would provide the user with a displayed amount.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian and Elgamal to include providing users the access to their respective payment accounts for viewing the amount of funds because it would provide the user with a displayed amount or amounts.

As per claim 16, Bogosian discloses a method for effecting payment for at least one item offered for sale by a seller and purchased by a buyer via an electronic auction

Art Unit: 3692

web site, where the electronic auction web site is accessible by a plurality of users and maintained by an electronic auction system, the method comprising:
maintaining a payment account configured for and corresponding to the seller and receiving informational data by an operator of the electronic auction web site transmitted from the seller via at least one web page(see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5)
receiving via one of the electronic auction web site an e-mail transmitted by the electronic auction system, at least one input from the buyer indicating an initiation to effect payment(see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) and
effecting payment to the seller after receiving the at least one input by deducting funds from a payment account (see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) and corresponding to the buyer and transferring at least a portion of the deducted funds to the payment account corresponding to the seller, wherein the method for effecting payment does not provide for any interaction between the buyer and the seller and where both payment accounts are created by receiving informational data by an operator of the electronic auction web site and are configured for storing funds thereon for use in effecting payment for network transaction associated with the electronic auction web site. (see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

Bogosian fail to explicitly teach storing funds therein.

However Elgamal discloses the Internet commerce community with an Electronic Money Account (EMA) whereby a customer connected to the Internet 20 can purchase electronic money from a Payment Gateway (PG) 50, deposit the electronic money in an EMA in the PG, and use this EMA to purchase goods from a merchant 40 over the Internet, based on an underlying Secure Courier System (SCS). It should be appreciated that the commerce model described herein is just one application of the invention and that the invention is intended for use in any system where electronic funds are

Art Unit: 3692

transferred or aggregated. For example, an individual account holder may transfer funds into his account from any network source of funds, he may transfer funds out of his account, or he may transfer funds to another individual (e.g. a merchant), as well as convert funds between a virtual and real form.(see column 5 lines 14-19 and column 6 lines 18-35).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian to include creating a plurality of payment accounts configured and corresponding to the plurality of users and wherein funds stored within the plurality of payment accounts can be used by said plurality of users and storing funds therein and providing users the access to their respective payment accounts taught by Elgamal in order to facilitate an online registration with a payment service provider.

As per claim 17, Bogosian discloses wherein the step of effecting payment comprises:

transferring at least a portion of the deducted funds to at least one account corresponding to an operator of the electronic auction web site. (see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

As per claim 27, Bogosian discloses a method for effecting payment for at least one item offered for sale by a seller and purchased by a buyer via an electronic auction web site, where the electronic auction web site is accessible by a plurality of users and maintained by an electronic auction system, the method comprising:
maintaining a plurality of payment accounts configured each capable of being used for effecting payment for network transactions associated with said electronic auction web site(see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5)

one of the plurality of payment accounts corresponds to the buyer and is accessible by the buyer via the electronic auction web site for transmitting information to an operator of the electronic auction web site for changing at least one payment source used for funding said payment account and for receiving at least one input from the buyer to

Art Unit: 3692

initiate a payment method(see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) and initiating the payment method, wherein the payment method is at least one of deducting funds from the payment account and corresponding to the buyer and, wherein the method for effecting payment does not provide for any interaction between the buyer and the seller. (see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

Bogosian fail to explicitly teach storing funds and authorizing the loaning of funds to said buyer, wherein the loaning of funds to the buyer does not include charging a credit card associated with the buyer and loaning funds to the buyer for effecting payment.

However Elgamal discloses the Internet commerce community with an Electronic Money Account (EMA) whereby a customer connected to the Internet 20 can purchase electronic money from a Payment Gateway (PG) 50, deposit the electronic money in an EMA in the PG, and use this EMA to purchase goods from a merchant 40 over the Internet, based on an underlying Secure Courier System (SCS). It should be appreciated that the commerce model described herein is just one application of the invention and that the invention is intended for use in any system where electronic funds are transferred or aggregated. For example, an individual account holder may transfer funds into his account from any network source of funds, he may transfer funds out of his account, or he may transfer funds to another individual (e.g. a merchant), as well as convert funds between a virtual and real form.(see column 5 lines 14-19 and column 6 lines 18-35).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian to include creating a plurality of payment accounts configured and corresponding to the plurality of users and wherein funds stored within the plurality of payment accounts can be used by said plurality of users and storing funds therein and providing users the access to their respective payment accounts taught by Elgamal in order to facilitate an online registration with a payment service provider.

Art Unit: 3692

Bogosian and Elgamal fail to explicitly teach authorizing the loaning of funds to said buyer, wherein the loaning of funds to the buyer does not include charging a credit card associated with the buyer and loaning funds to the buyer for effecting payment.

However loaning funds to effect payment is old and well known in the art because a customer can be granted a loan in order to pay for goods or services or purchases made.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian and Elgamal to include authorizing the loaning of funds to said buyer, wherein the loaning of funds to the buyer does not include charging a credit card associated with the buyer and loaning funds to the buyer for effecting payment because a customer can be granted a loan in order to pay for goods or services or purchases made.

As per claim 32, Bogosian discloses wherein the e-mail includes a link to an electronic auction payment system, wherein the step of receiving at least one input from the buyer comprises the step:

of receiving an indication via the link to connect the buyer to the electronic auction payment system, wherein the electronic auction payment system is in electronic operative communication with the electronic auction system via at least one of an Internet and a non-Internet connection, and wherein the step of sending the e-mail by the electronic auction system to the buyer is performed automatically without receiving any input from the seller or the buyer after a determination is made by the electronic auction system as to the identity of the buyer. (see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

As per claim 41, Bogosian discloses further comprising:
investing the funds within the at least one payment account corresponding to the buyer, and transferring at least a portion of funds earned by investing to the payment account corresponding to the buyer. (see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

As per claim 44, Bogosian discloses further comprising:

Art Unit: 3692

automatically sending the e-mail by the electronic auction system to the buyer without receiving any input from the seller or the buyer after a determination is made by the electronic auction system as to identity of the buyer, wherein the e-mail includes a link to an electronic auction payment system, wherein the step of receiving at least one input from the buyer comprises the step of receiving an indication via the link to connect the buyer to the electronic auction payment system, and wherein the electronic auction payment system is in electronic operative communication with the electronic auction system via at least one of an Internet and a non Internet connection. (see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

As per claim 47, Bogosian discloses a method for effecting payment for at least one item offered for sale via an electronic commerce web site by a seller and purchased by a buyer, where the electronic commerce web site is accessible by a plurality of users for listing items for sale and purchasing listed items, the electronic commerce web site being maintained by an electronic commerce system, the method comprising: receiving inputs via at least one web page by an operator of the electronic commerce web site(see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) creating a plurality of payment accounts corresponding to the plurality of users using the inputs received by the operator of the electronic commerce web site, each of said plurality of payment accounts configured for and each capable of being used by said plurality of users for effecting payment for network transactions associated with said electronic commerce web site(see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) sending an e-mail by the electronic commerce system to the buyer of the at least one item, receiving, via one of the electronic commerce web site and the e-mail, at least one input from the buyer indicating an initiation to effect payment(see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5)

Art Unit: 3692

providing at least one payment page to the buyer after receiving the at least one input from the buyer, receiving, via the at least one payment page, authorization from the buyer to effect payment to the seller of the at least one item; and effecting payment to at least the seller of the at least one item by transferring funds to a one of the plurality of payment accounts corresponding to the seller. (see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

Bogosian fail to explicitly teach storing funds therein.

However Elgamal discloses the Internet commerce community with an Electronic Money Account (EMA) whereby a customer connected to the Internet 20 can purchase electronic money from a Payment Gateway (PG) 50, deposit the electronic money in an EMA in the PG, and use this EMA to purchase goods from a merchant 40 over the Internet, based on an underlying Secure Courier System (SCS). It should be appreciated that the commerce model described herein is just one application of the invention and that the invention is intended for use in any system where electronic funds are transferred or aggregated. For example, an individual account holder may transfer funds into his account from any network source of funds, he may transfer funds out of his account, or he may transfer funds to another individual (e.g. a merchant), as well as convert funds between a virtual and real form.(see column 5 lines 14-19 and column 6 lines 18-35).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian to include storing funds therein and buyer access to their respective payment accounts taught by Elgamal in order to facilitate an online registration with a payment service provider.

As per claim 49, Bogosian discloses wherein the step of effecting payment to at least the sailor comprises:
deducting funds from a payment account of the plurality of payment accounts corresponding to the buyer, and transferring at least a portion of the deducted funds to at least one account corresponding to an operator of the electronic commerce web

Art Unit: 3692

site.(see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

Bogosian fail to explicitly teach storing funds therein.

However Elgamal discloses the Internet commerce community with an Electronic Money Account (EMA) whereby a customer connected to the Internet 20 can purchase electronic money from a Payment Gateway (PG) 50, deposit the electronic money in an EMA in the PG, and use this EMA to purchase goods from a merchant 40 over the Internet, based on an underlying Secure Courier System (SCS). It should be appreciated that the commerce model described herein is just one application of the invention and that the invention is intended for use in any system where electronic funds are

transferred or aggregated. For example, an individual account holder may transfer funds into his account from any network source of funds, he may transfer funds out of his account, or he may transfer funds to another individual (e.g. a merchant), as well as convert funds between a virtual and real form.(see column 5 lines 14-19 and column 6 lines 18-35).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian to include storing funds therein and buyer access to their respective payment accounts taught by Elgamal in order to facilitate an online registration with a payment service provider.

As per claims 62, 71-72, Bogosian discloses a method for effecting an immediate payment for at least one item offered for auction sale by a seller and purchased by a buyer via an electronic commerce web site prior to the conclusion of the auction sale, where the electronic commerce web site is accessible by a plurality of users and maintained by an electronic commerce system, the method comprising: receiving via the electronic commerce web site at least one input from the buyer indicating an initiation to purchase the at least one item offered for auction sale prior to said electronic commerce system receiving any bids for said at least one item(see column 4 lines 18-55 and column and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5)

Art Unit: 3692

providing at least one payment page to the buyer after receiving the at least one input from the buyer(see column 4 lines 18-55 and column and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5)

receiving, via the at least one payment page, authorization from the buyer to transfer funds from at least one payment account corresponding to the buyer to at least one payment account corresponding to the seller;

transferring funds from the at least one payment account and corresponding to the buyer to the at least one payment account corresponding to the seller in realtime to effect the immediate payment(see column 4 lines 18-55 and column and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) wherein the at least one payment account corresponding to the buyer and the at least one payment account corresponding to the seller are configured and wherein the method for effecting the immediate payment does not provide for any interaction between the buyer and the seller,

terminating the auction sale by the electronic commerce system(see column 4 lines 18-55 and column and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) and notifying said plurality of users, including the seller, that the buyer purchased the at least one item prior to any bids being received by the electronic commerce system. (see column 4 lines 18-55 and column and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

Bogosian fail to explicitly teach storing funds therein.

However Elgamal discloses the Internet commerce community with an Electronic Money Account (EMA) whereby a customer connected to the Internet 20 can purchase electronic money from a Payment Gateway (PG) 50, deposit the electronic money in an EMA in the PG, and use this EMA to purchase goods from a merchant 40 over the Internet, based on an underlying Secure Courier System (SCS). It should be appreciated that the commerce model described herein is just one application of the invention and that the invention is intended for use in any system where electronic funds are

Art Unit: 3692

transferred or aggregated. For example, an individual account holder may transfer funds into his account from any network source of funds, he may transfer funds out of his account, or he may transfer funds to another individual (e.g. a merchant), as well as convert funds between a virtual and real form.(see column 5 lines 14-19 and column 6 lines 18-35).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian to include storing funds therein and buyer access to their respective payment accounts taught by Elgamal in order to facilitate an online registration with a payment service provider.

As per claim 70, Bogosian discloses further comprising transferring funds to at least one account corresponding to the operator of the electronic commerce web site. (see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

As per claim 73, Bogosian discloses a method for effecting payment to an electronic commerce merchant, said method comprising:
receiving instructions from an electronic commerce customer via a web page to authorize payment to said electronic commerce merchant(see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) determining whether the instructions include an authorization to use funds associated with a financial system to effect payment to said electronic commerce merchant(see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) instructing said financial system to use funds associated with said financial system if the instructions include an authorization to use funds associated with the financial system for affecting payment to said electronic commerce merchant(see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) and facilitating the transfer of funds associated with said financial system to a payment account associated with said electronic commerce merchant to effect payment to said electronic commerce merchant(see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) wherein said method for effecting

Art Unit: 3692

payment does not require the disclosure information of credit card and financial information corresponding to said electronic commerce customer to said financial system. (see column 2 lines 24-47 and column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

As per claim 74, Bogosian discloses further comprising accruing interest charges against said electronic commerce customer for the use of funds associated with said financial system for effecting payment to said electronic commerce merchant. (see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

5. Claims 55, 40, and 61, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bogosian U.S. Patent No. 6, 760, 470) in view of Elgamal U.S. Patent No. 6, 138, 107 in view of Hammons et al (Hereinafter Hammons U.S Patent 6477, 509).

As per claim 55, 40, Bogosian discloses an integrated electronic commerce and electronic payment platform for effecting payment for at least one item offered for sale via an electronic commerce web site by a seller and purchased by a buyer, where the electronic commerce web site is accessible by a plurality of users for listing items for sale and purchasing listed items, the electronic commerce web site being maintained by an electronic commerce system, the integrated electronic commerce and electronic payment computer platform having application software for performing a payment method comprising:

maintaining a plurality of payment accounts of said integrated platform, each of said plurality of payment accounts configured and each capable of being used for effecting payment for network transactions associated with said electronic commerce web site.(see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5)

receiving at least one input from the buyer indicating an initiation to effect payment;
providing at least one payment page to the buyer after receiving the at least one input from the buyer, receiving, via the at least one payment page, authorization from the buyer to use a particular payment method to effect payment to the seller,

Art Unit: 3692

automatically determining in accordance with the particular payment method at least one payment account from the plurality of payment accounts which corresponds to the buyer for deducting funds therefrom.(see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) deducting funds from the at least one payment account corresponding to the buyer, and transferring at least a portion of the deducted funds to at least one payment account from the plurality of payment accounts which corresponds to the seller to effect payment to the seller.(see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) wherein the at least one payment account corresponding to the buyer and the at least one payment account corresponding to the seller are stored within a database system of the integrated platform, and wherein data stored within the database system are accessible by the plurality of users via a link of the electronic commerce web site.(see column 4 lines 18-55 and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

Bogosian fail to explicitly teach storing funds therein and wherein said incentive offer provides for a user of said plurality of users to perform an activity via said electronic commerce web site which will cause a change in the amount of funds stored in a payment account corresponding to the user and for complying to an incentive offer made by an operator of the electronic commerce web site based on the amount of funds periodically transferred to a payment account corresponding to a user of said plurality of users.

However Elgamal discloses the Internet commerce community with an Electronic Money Account (EMA) whereby a customer connected to the Internet 20 can purchase electronic money from a Payment Gateway (PG) 50, deposit the electronic money in an EMA in the PG, and use this EMA to purchase goods from a merchant 40 over the Internet, based on an underlying Secure Courier System (SCS). It should be appreciated that the commerce model described herein is just one application of the invention and that the invention is intended for use in any system where electronic funds are

Art Unit: 3692

transferred or aggregated. For example, an individual account holder may transfer funds into his account from any network source of funds, he may transfer funds out of his account, or he may transfer funds to another individual (e.g. a merchant), as well as convert funds between a virtual and real form.(see column 5 lines 14-19 and column 6 lines 18-35).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian to include storing funds therein and buyer access to their respective payment accounts taught by Elgamal in order to facilitate an online registration with a payment service provider.

Bogosian and Elgamal fail to explicitly teach wherein said incentive offer provides for a user of said plurality of users to perform an activity via said electronic commerce web site which will cause a change in the amount of funds stored in a payment account corresponding to the user and for complying to an incentive offer made by an operator of the electronic commerce web site based on the amount of funds periodically transferred to a payment account corresponding to a user of said plurality of users.

However Hammons discloses other potential interactions shown relating to this step on FIG. 4 include the lending partner paying a new account sign up incentive to the management fund Other potential transactions relating to this step include a payment on the credit account is transferred from the system user's account to the management fund or directly to the lending partner. The last transaction in FIG. 4 shows the management fund repaying the sign up incentive with interest to the lending partner over time from the advertising and commerce revenues received in the management fund associated with the system user and in an arrangement comprising at least one computer network, said network connecting at least one personal computer to at least one information-system computer, said personal computer being associated with at least one system user, a method for network participation, utilizing incentives and mutual reinforcements between a system user, an information provider, and an investor, said method comprising the steps of: receiving funds in a management fund, from one or more investors, to be used for providing a viewing incentive to a system user; providing a viewing incentive for a plurality of system users to participate in said network

Art Unit: 3692

participation; gathering system user profile information from said system users; storing said system user profile information in a system user profile database on said information provider computer; gathering product information from one or more information providers and storing it on said information-system computer; providing said system users with product information for viewing on a computer screen in use by said system user; receiving from said information providers a product information presentation fee which is paid into said management fund, for presenting information to said system users which said information providers have selected for such presentation; providing said system users with a means of interacting with product information or advertising; receiving a fee from said information providers for transactions which result from said product information presented to said system users; and paying one or more investor from said management fund to repay said investor for said viewing incentives paid to said system users.(see column 1 lines 39-67 and column 2 lines 1-67 and column 6 lines 20-41 and column 11 lines 1-65).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian and Ganesan to include incentive offer provides for a user of said plurality of users to perform an activity via said electronic commerce web site which will cause a change in the amount of funds stored in a payment account corresponding to the user taught Hammons in order to provide cash incentives to a user would add that incentive to a user account thereby changing the amount of funds to effect payment.

As per claim 61, Bogosian discloses wherein the electronic commerce system is an electronic auction system and the electronic commerce web site is an electronic auction web site. .(see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

Conclusion

Response to Arguments

Art Unit: 3692

6. Applicant's arguments files on 03/05/07 have been fully considered but they are moot in view of new grounds of rejections.

7. In response to Applicant's arguments as it pertains to Bogosian , and Hammons.

8. In response to Applicant's arguments that Bogosian and Hammons fail to teach or suggest" deducting funds from the payment account and corresponding to the winning bidder and using at least a portion of the deduction funds to effect payment receiving informational data from the plurality of users via at least one web page by an operator of the electronic auction web site creating a plurality of payment accounts configured and corresponding to the plurality of users and wherein funds stored within the plurality of payment accounts can be used by said plurality of users and for providing said plurality of providing users of the electronic auction web site using the informational data received via the at least one web page, for effecting payment for network transactions associated with said electronic auction web site, linking said plurality of payment accounts to at least one computing device of the electronic auction system and displaying a link on the electronic auction web site and determining the conclusion of the auction sale by the electronic auction system; interacting with said winning bidder by the electronic auction system by performing the steps of: sending an e-mail by the electronic auction system to the winning bidder, receiving, via one of the electronic auction web site and the v.-mail, at least one input from the winning bidder indicating an initiation to effect payment to the seller providing a payment page to the winning bidder after receiving the at least one input from the winning bidder, said payment page displaying the amount of funds to be deducted from a payment account of the plurality of payment accounts corresponding to the winning bidder, and receiving, via the payment page, authorization from the winning bidder to proceed with effecting payment to the seller and deducting funds from the payment account and corresponding to the winning bidder, and using at least a portion of the deducted funds to effect payment to at least the seller, wherein the method for effecting payment does not provide for any interaction between the winning bidder and the seller. storing funds therein and providing users the access to their respective payment

Art Unit: 3692

accounts for viewing the amount of funds stored therein and viewing the amount of funds in ones account is old an well known in the art because it would provide the user with a displayed amount and receiving informational data from the plurality of users via at least one web page by an operator of the electronic auction web site and creating a plurality of payment accounts configured for and corresponding to the plurality of users and users of the electronic auction web site using the informational data received via the at least one web page, wherein fiends stored within the plurality of payment accounts can be used by said plurality of users for effecting payment for network transactions associated with said electronic auction web site and linking said plurality of payment accounts to at least one computing device of the electronic auction system displaying a link on the electronic auction web site for providing said plurality of users, determining the conclusion of the auction sale by the electronic auction system; interacting with said buyer by the electronic auction system by performing the steps of sending an e-mail by the electronic auction system to the buyer of the at least one item and receiving, via one of the electronic auction web site and the e-mail, at least one input from the buyer indicating as initiation to effect payment to the seller; providing a payment page to the buyer after receiving the at least one input from the buyer, and receiving, via the payment page, authorization from the buyer to effect payment to the seller of the at least one item and and effecting payment to at least the seller of the at least one item by transferring funds to one of the plurality of payment accounts corresponding to the seller" however the Examiner disagrees with Applicant" s because these limitations were addressed as stated.

Bogosian discloses a method for effecting payment for at least one item offered for auction sale by a seller via an electronic auction web site and won by a winning bidder, where the electronic auction web site is accessible by a plurality of users and maintained by an electronic auction system, receiving informational data from the plurality of users via at least one web page by an operator of the electronic auction web site (see column 4 lines 18-55 and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) creating a plurality of payment accounts configured and corresponding to the plurality of users and wherein funds stored within

Art Unit: 3692

the plurality of payment accounts can be used by said plurality of users and for providing said plurality of providing users of the electronic auction web site using the informational data received via the at least one web page, for effecting payment for network transactions associated with said electronic auction web site, linking said plurality of payment accounts to at least one computing device of the electronic auction system (see column 4 lines 18-55 and column and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) displaying a link on the electronic auction web site (see column 4 lines 18-55 and column and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) determining the conclusion of the auction sale by the electronic auction system; interacting with said winning bidder by the electronic auction system by performing the sending an e-mail by the electronic auction system to the winning bidder, receiving, via one of the electronic auction web site and the v.-mail, at least one input from the winning bidder indicating an initiation to effect payment to the seller (see column 4 lines 18-55 and column and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) providing a payment page to the winning bidder after receiving the at least one input from the winning bidder, said payment page displaying the amount of funds to be deducted from a payment account of the plurality of payment accounts corresponding to the winning bidder, and receiving, via the payment page, authorization from the winning bidder to proceed with effecting payment to the seller (see column 4 lines 18-55 and column and column 5 lines 1-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5) deducting funds from the payment account and corresponding to the winning bidder, and using at least a portion of the deducted funds to effect payment to at least the seller, wherein the method for effecting payment does not provide for any interaction between the winning bidder and the seller. (see column 4 lines 18-55 and column and column 5 lines 35-55 and column 12 lines 47-50 and column 13 lines 65 and column 14 line 5).

However Elgamal discloses the Internet commerce community with an Electronic Money Account (EMA) whereby a customer connected to the Internet 20 can purchase electronic money from a Payment Gateway (PG) 50, deposit the electronic money in an

Art Unit: 3692

EMA in the PG, and use this EMA to purchase goods from a merchant 40 over the Internet, based on an underlying Secure Courier System (SCS). It should be appreciated that the commerce model described herein is just one application of the invention and that the invention is intended for use in any system where electronic funds are transferred or aggregated. For example, an individual account holder may transfer funds into his account from any network source of funds, he may transfer funds out of his account, or he may transfer funds to another individual (e.g. a merchant), as well as convert funds between a virtual and real form.(see column 5 lines 14-19 and column 6 lines 18-35).

However Hammons discloses other potential interactions shown relating to this step on FIG. 4 include the lending partner paying a new account sign up incentive to the management fund Other potential transactions relating to this step include a payment on the credit account is transferred from the system user's account to the management fund or directly to the lending partner. The last transaction in FIG. 4 shows the management fund repaying the sign up incentive with interest to the lending partner over time from the advertising and commerce revenues received in the management fund associated with the system user and in an arrangement comprising at least one computer network, said network connecting at least one personal computer to at least one information-system computer, said personal computer being associated with at least one system user, a method for network participation, utilizing incentives and mutual reinforcements between a system user, an information provider, and an investor, said method comprising the steps of: receiving funds in a management fund, from one or more investors, to be used for providing a viewing incentive to a system user; providing a viewing incentive for a plurality of system users to participate in said network participation; gathering system user profile information from said system users; storing said system user profile information in a system user profile database on said information provider computer; gathering product information from one or more information providers and storing it on said information-system computer; providing said system users with product information for viewing on a computer screen in use by said system user; receiving from said information providers a product information

Art Unit: 3692

presentation fee which is paid into said management fund, for presenting information to said system users which said information providers have selected for such presentation; providing said system users with a means of interacting with product information or advertising; receiving a fee from said information providers for transactions which result from said product information presented to said system users; and paying one or more investor from said management fund to repay said investor for said viewing incentives paid to said system users.(see column 1 lines 39-67 and column 2 lines 1-67 and column 6 lines 20-41 and column 11 lines 1-65).

Therefore it would have been obviously clear that Applicant's claim limitations were addressed within the teachings of Bogosian and Hammons.

9. Any inquiry concerning this communication from the examiner should be directed to Clement Graham at (703) 305-1874. The examiner can normally be reached on Monday, Tuesday, and Wednesday from 5:30AM. to 6:00PM.

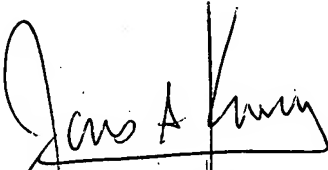
If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Sam Hyung can be reached on (703) 305-0505.

The Official Fax Number for TC-3600 is: (703) 305-7687

Clement Graham

Patent Examiner

May 29, 2007


JAMES A. KRAMER
SUPERVISORY PATENT EXAMINER
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6/11/07